

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 4617) TO
AMEND THE FEDERAL ELECTION CAMPAIGN ACT OF 1971 TO
CLARIFY THE OBLIGATION TO REPORT ACTS OF FOREIGN
ELECTION INFLUENCE AND REQUIRE IMPLEMENTATION OF
COMPLIANCE AND REPORTING SYSTEMS BY FEDERAL
CAMPAIGNS TO DETECT AND REPORT SUCH ACTS, AND FOR
OTHER PURPOSES.

October 22, 2019.—Referred to the House Calendar and ordered to be
printed.

MR. HASTINGS, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. __]

The Committee on Rules, having had under consideration House Resolution
____, by a record vote of 9 to 2, report the same to the House with the
recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 4617, the SHIELD Act, under a structured rule. The resolution provides one hour of general debate on the bill equally divided and controlled by the chair and ranking minority member of the Committee on House Administration. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-35, as modified by the amendment printed in Part A of this report, and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those amendments printed in Part B of this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a

demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in Part B of this report. The resolution provides one motion to recommit with or without instructions.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 4617 includes waivers of the following:

- Clause 12(b) of rule XXI, which prohibits consideration of a bill unless there is a searchable electronic comparative print that shows how the text of the bill as proposed to be considered differs from the text of the bill as reported.
- Section 103(i) of H. Res. 6, which prohibits consideration of a reported bill unless the committee report designates a hearing used to develop or consider the bill. This waiver is technical in nature—while the report of the Committee on House Administration lists three hearings that were used to develop or consider H.R. 4617, it references an incorrect bill number.

The waiver of all points of order against the amendment in the nature of a substitute includes a waiver of clause 12(a)(2) of rule XXI, which prohibits consideration of an amendment in the nature of a substitute unless there is a searchable electronic comparative print that shows how the amendment in the nature of a substitute proposes to change current law.

Although the resolution waives all points of order against the amendments printed in Part B of this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 182

Motion by Mr. Cole to report an open rule. Defeated: 2-9

Majority Members	Vote	Minority Members	Vote
Mr. Hastings.....	Nay	Mr. Cole.....	Yea
Mrs. Torres.....	Nay	Mr. Woodall.....	Yea
Mr. Perlmutter.....	Nay	Mr. Burgess.....	
Mr. Raskin.....	Nay	Mrs. Lesko.....	
Ms. Scanlon.....	Nay		
Mr. Morelle.....	Nay		
Ms. Shalala.....	Nay		
Mr. DeSaulnier.....	Nay		
Mr. McGovern, Chairman.....	Nay		

Rules Committee Record Vote No. 183

Motion by Mr. Hastings to report the rule. Adopted: 9-2

Majority Members	Vote	Minority Members	Vote
Mr. Hastings.....	Yea	Mr. Cole.....	Nay
Mrs. Torres.....	Yea	Mr. Woodall.....	Nay
Mr. Perlmutter.....	Yea	Mr. Burgess.....	
Mr. Raskin.....	Yea	Mrs. Lesko.....	
Ms. Scanlon.....	Yea		
Mr. Morelle.....	Yea		
Ms. Shalala.....	Yea		
Mr. DeSaulnier.....	Yea		
Mr. McGovern, Chairman.....	Yea		

SUMMARY OF THE AMENDMENT TO H.R. 4617 IN PART A
CONSIDERED AS ADOPTED

1. Lofgren (CA): Amends the exception to the “reportable foreign contact” for those contacts made for purposes of enabling elections by international observers. Provides that the exception does not apply if the contact involves illicit campaign spending in contravention of the Federal Election Campaign Act. Provides that improper interference in a United States election is grounds for inadmissibility and deportability.
(10 minutes)

SUMMARY OF THE AMENDMENTS TO H.R. 4617 IN PART B
MADE IN ORDER

1. DeSaulnier (CA): Requires the FEC to notify states within 30 days of making a determination that a foreign national has initiated or attempted to initiate a disinformation campaign targeted at an election in a state. (10 minutes)
2. Lesko (AZ): Strikes Section 313. (10 minutes)
3. Lynch (MA): Generally prohibits the use of deepfakes within 60 days of a federal election and establishes corresponding criminal and civil penalties. (10 minutes)
4. Levin, Andy (MI), McCaul (TX), Rouda (CA), Speier (CA), Slotkin (MI): Prohibits foreign nationals from influencing American elections by setting up shell companies. (10 minutes)
5. Langevin (RI), Slotkin (MI): Directs the Federal Elections Commission to commission an independent study and report on media literacy with respect to online political content consumption among voting-age Americans. (10 minutes)
6. Swalwell (CA): Includes a candidate's immediate family members among those whose direct or indirect contacts or communications with a covered foreign national may amount to a reportable foreign contact with the term immediate family member meaning a candidate's parent, parent-in-law, spouse, adult child, or sibling. (10 minutes)
7. Brown (MD): Requires the FBI to confirm receipt when a political committee issues a notification that they have been contacted by a reportable foreign contact. Additionally, requires the FBI to submit a report to Congress on how they are managing and responding to notifications from political committees. (10 minutes)
8. Delgado (NY): Require the Federal Election Commission to do an analysis of the extent to which illicit foreign money was used to carry out disinformation and propaganda campaigns focused on depressing turnout among rural communities and the success or failure of these efforts, together with recommendations to address these efforts in future elections. (10 minutes)
9. Houlahan (PA): Codifies the FEC definition of "substantial assistance" for an illegal foreign transaction and defines what it means to "knowingly" abet a foreign entity, consistent with FEC regulations. (10 minutes)
10. Slotkin (MI): Directs GAO to conduct an assessment of current exemptions of FARA registration requirements and what adjustments should be made to prevent foreign funding from influencing U.S. elections and political processes. (10 minutes)
11. Sherrill (NJ): Expands from 60 days before an election to 90 days the provisions on knowingly prohibiting deceptive practices in federal elections, including knowingly providing false information about the time or place of voting, qualifications for voting, or public endorsements. (10 minutes)
12. Cunningham (SC): Requires the Federal Election Commission to include in its report to Congress an analysis of disinformation campaigns

focused on depressing turnout among African-American and other minority communities. (10 minutes)

13. Cunningham (SC): Requires the Federal Election Commission to include in its report to Congress an analysis of disinformation campaigns focused on influencing military servicemembers and veterans along with recommendations to address these efforts. (10 minutes)
14. Spanberger (VA): Requires that online platform records of purchase requests for qualified political advertisements include a statement that a person is acting as the agent of a foreign principal and the identification of the foreign principal involved, when applicable. Qualified political advertisements include ads related to national legislative issues of public importance. (10 minutes)

PART A—TEXT OF AMENDMENT TO H.R. 4617
CONSIDERED AS ADOPTED



Page 5, strike lines 5 through 17 and insert the following:

- 1 “(B) EXCEPTIONS.—
- 2 “(i) CONTACTS IN OFFICIAL CAPACITY
- 3 AS ELECTED OFFICIAL.—The term ‘report-
- 4 able foreign contact’ shall not include any
- 5 contact or communication with a covered
- 6 foreign national by an elected official or an
- 7 employee of an elected official solely in an
- 8 official capacity as such an official or em-
- 9 ployee.
- 10 “(ii) CONTACTS FOR PURPOSES OF
- 11 ENABLING OBSERVATION OF ELECTIONS
- 12 BY INTERNATIONAL OBSERVERS.—The
- 13 term ‘reportable foreign contact’ shall not
- 14 include any contact or communication with
- 15 a covered foreign national by any person
- 16 which is made for purposes of enabling the
- 17 observation of elections in the United
- 18 States by a foreign national or the obser-

1 vation of elections outside of the United
2 States by a candidate, political committee,
3 or any official, employee, or agent of such
4 committee.

5 “(iii) EXCEPTIONS NOT APPLICABLE
6 IF CONTACTS OR COMMUNICATIONS IN-
7 VOLVE PROHIBITED DISBURSEMENTS.—A
8 contact or communication by an elected of-
9 ficial or an employee of an elected official
10 shall not be considered to be made solely
11 in an official capacity for purposes of
12 clause (i), and a contact or communication
13 shall not be considered to be made for pur-
14 poses of enabling the observation of elec-
15 tions for purposes of clause (ii), if the con-
16 tact or communication involves a contribu-
17 tion, donation, expenditure, disbursement,
18 or solicitation described in section 319.”.

Page 54, insert after line 14 the following new sub-
title:

1 **Subtitle C—Inadmissibility and De-**
2 **portability of Aliens Engaging**
3 **in Improper Election Inter-**
4 **ference**

5 **SEC. 321. INADMISSIBILITY AND DEPORTABILITY OF**
6 **ALIENS ENGAGING IN IMPROPER INTER-**
7 **ERENCE IN UNITED STATES ELECTIONS.**

8 (a) INADMISSIBILITY.—Section 212(a)(3) of the Im-
9 migration and Nationality Act (8 U.S.C. 1182(a)(3)) is
10 amended by adding at the end the following:

11 “(H) IMPROPER INTERFERENCE IN A
12 UNITED STATES ELECTION.—Any alien who a
13 consular officer, the Secretary of Homeland Se-
14 curity, the Secretary of State, or the Attorney
15 General knows, or has reasonable grounds to
16 believe, is seeking admission to the United
17 States to engage in improper interference in a
18 United States election, or has engaged in im-
19 proper interference in a United States election,
20 is inadmissible.”.

21 (b) DEPORTABILITY.—Section 237(a) of such Act (8
22 U.S.C. 1227(a)) is amended by adding at the end the fol-
23 lowing:

24 “(8) IMPROPER INTERFERENCE IN A UNITED
25 STATES ELECTION.—Any alien who has engaged, is

1 engaged, or at any time after admission engages in
2 improper interference in a United States election is
3 deportable.”.

4 (c) DEFINITION.—Section 101(a) of such Act (8
5 U.S.C. 1101(a)) is amended by adding at the end the fol-
6 lowing:

7 “(53) The term ‘improper interference in a
8 United States election’ means conduct by an alien
9 that—

10 “(A)(i) violates Federal criminal, voting
11 rights, or campaign finance law, or

12 “(ii) is performed by any person acting as
13 an agent of or on behalf of a foreign govern-
14 ment or criminal enterprise; and

15 “(B) includes any covert, fraudulent, de-
16 ceptive, or unlawful act or attempted act, un-
17 dertaken with the purpose or effect of under-
18 mining public confidence in election processes
19 or institutions, or influencing, undermining con-
20 fidence in, or altering the result or reported re-
21 sult of, a general or primary Federal, State, or
22 local election or caucus, including—

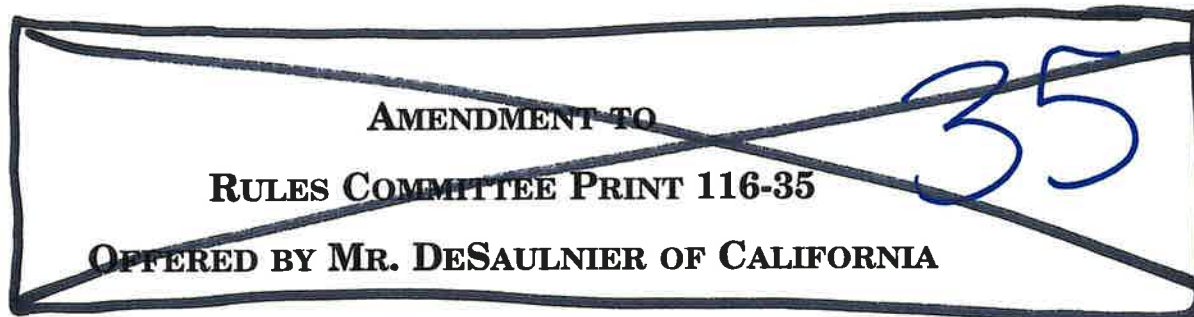
23 “(i) the campaign of a candidate; or

1 “(ii) a ballot measure, including an
2 amendment, a bond issue, an initiative, a
3 recall, a referral, or a referendum.”.



PART B—TEXT OF AMENDMENTS TO H.R. 4617 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
DESAULNIER OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES



Page 54, insert after line 14 the following:

1 **Subtitle C—Notifying States of**
2 **Disinformation Campaigns by**
3 **Foreign Nationals**

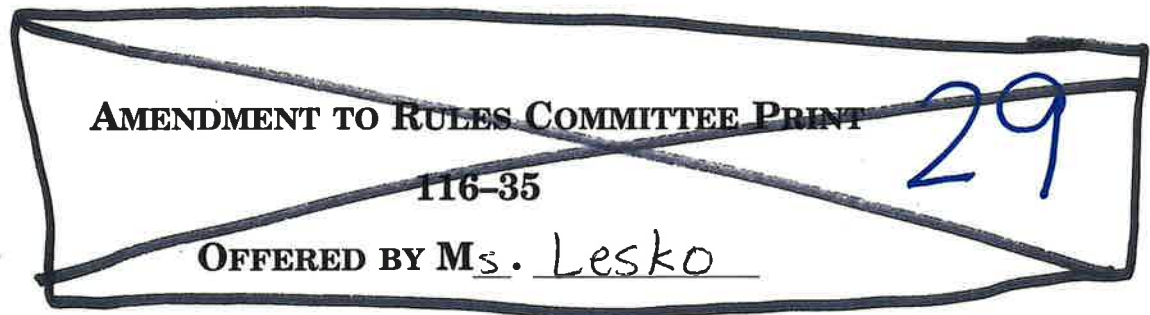
4 **SEC. 321. NOTIFYING STATES OF DISINFORMATION CAM-**
5 **PAIGNS BY FOREIGN NATIONALS.**

6 (a) **REQUIRING DISCLOSURE.**—If the Federal Elec-
7 tion Commission makes a determination that a foreign na-
8 tional has initiated or has attempted to initiate a
9 disinformation campaign targeted at an election for public
10 office held in a State, the Commission shall notify the
11 State involved of the determination not later than 30 days
12 after making the determination.

13 (b) **DEFINITIONS.**—In this section the term “foreign
14 national” has the meaning given such term in section
15 319(b) of the Federal Election Campaign Act of 1971 (52
16 U.S.C. 30121(b)).



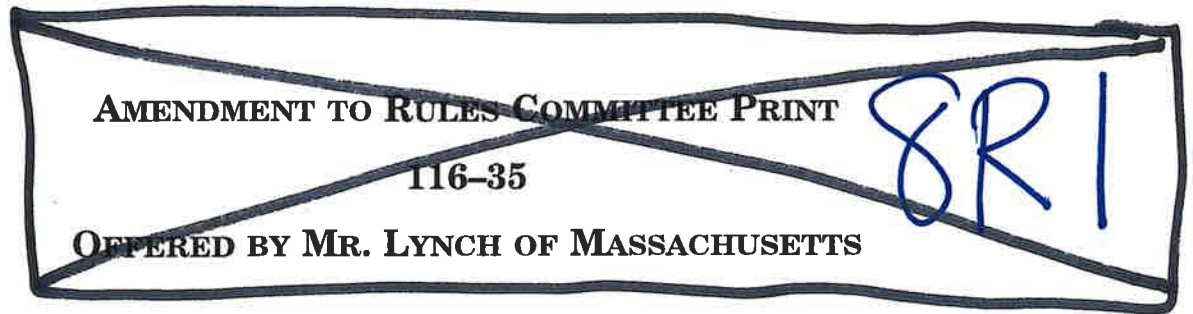
2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LESKO
OF ARIZONA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES



Strike section 313 (and redesignate the succeeding sections accordingly).



3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LYNCH
OF MASSACHUSETTS OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES



Page 54, insert after line 14 the following:

1 **Subtitle C—Prohibiting Use of**
2 **Deepfakes in Election Campaigns**

3 **SEC. 321. PROHIBITION ON DISTRIBUTION OF MATERIALLY**
4 **DECEPTIVE AUDIO OR VISUAL MEDIA PRIOR**
5 **TO ELECTION.**

6 (a) IN GENERAL.—Title III of the Federal Election
7 Campaign Act of 1971 (52 U.S.C. 30101 et seq.), as
8 amended by section 203, is further amended by adding
9 at the end the following new section:

10 **“SEC. 325. PROHIBITION ON DISTRIBUTION OF MATERI-**
11 **ALLY DECEPTIVE MEDIA PRIOR TO ELEC-**
12 **TION.**

13 “(a) IN GENERAL.—Except as provided in sub-
14 sections (b) and (c), a person, political committee, or other
15 entity shall not, within 60 days of a election for Federal
16 office at which a candidate for elective office will appear
17 on the ballot, distribute, with actual malice, materially de-
18 ceptive audio or visual media of the candidate with the

1 intent to injure the candidate's reputation or to deceive
2 a voter into voting for or against the candidate.

3 “(b) EXCEPTION.—

4 “(1) REQUIRED LANGUAGE.—The prohibition
5 in subsection (a) does not apply if the audio or vis-
6 ual media includes—

7 “(A) a disclosure stating: “This
8 _____ has been manipulated.”; and

9 “(B) filled in the blank in the disclosure
10 under subparagraph (A), the term ‘image’,
11 ‘video’, or ‘audio’, as most accurately describes
12 the media.

13 “(2) VISUAL MEDIA.—For visual media, the
14 text of the disclosure shall appear in a size that is
15 easily readable by the average viewer and no smaller
16 than the largest font size of other text appearing in
17 the visual media. If the visual media does not in-
18 clude any other text, the disclosure shall appear in
19 a size that is easily readable by the average viewer.
20 For visual media that is video, the disclosure shall
21 appear for the duration of the video.

22 “(3) AUDIO-ONLY MEDIA.—If the media con-
23 sists of audio only, the disclosure shall be read in a
24 clearly spoken manner and in a pitch that can be
25 easily heard by the average listener, at the beginning

1 of the audio, at the end of the audio, and, if the
2 audio is greater than two minutes in length, inter-
3 spersed within the audio at intervals of not greater
4 than two minutes each.

5 “(c) INAPPLICABILITY TO CERTAIN ENTITIES.—This
6 section does not apply to the following:

7 “(1) A radio or television broadcasting station,
8 including a cable or satellite television operator, pro-
9 grammer, or producer, that broadcasts materially
10 deceptive audio or visual media prohibited by this
11 section as part of a bona fide newscast, news inter-
12 view, news documentary, or on-the-spot coverage of
13 bona fide news events, if the broadcast clearly ac-
14 knowledges through content or a disclosure, in a
15 manner that can be easily heard or read by the aver-
16 age listener or viewer, that there are questions about
17 the authenticity of the materially deceptive audio or
18 visual media.

19 “(2) A radio or television broadcasting station,
20 including a cable or satellite television operator, pro-
21 grammer, or producer, when it is paid to broadcast
22 materially deceptive audio or visual media.

23 “(3) An internet website, or a regularly pub-
24 lished newspaper, magazine, or other periodical of
25 general circulation, including an internet or elec-

1 tronic publication, that routinely carries news and
2 commentary of general interest, and that publishes
3 materially deceptive audio or visual media prohibited
4 by this section, if the publication clearly states that
5 the materially deceptive audio or visual media does
6 not accurately represent the speech or conduct of the
7 candidate.

8 “(4) Materially deceptive audio or visual media
9 that constitutes satire or parody.

10 “(d) CIVIL ACTION.—

11 “(1) INJUNCTIVE OR OTHER EQUITABLE RE-
12 LIEF.—A candidate for elective office whose voice or
13 likeness appears in a materially deceptive audio or
14 visual media distributed in violation of this section
15 may seek injunctive or other equitable relief prohib-
16 iting the distribution of audio or visual media in vio-
17 lation of this section. An action under this para-
18 graph shall be entitled to precedence in accordance
19 with the Federal Rules of Civil Procedure.

20 “(2) DAMAGES.—A candidate for elective office
21 whose voice or likeness appears in a materially de-
22 ceptive audio or visual media distributed in violation
23 of this section may bring an action for general or
24 special damages against the person, committee, or
25 other entity that distributed the materially deceptive

1 audio or visual media. The court may also award a
2 prevailing party reasonable attorney's fees and costs.
3 This paragraph shall not be construed to limit or
4 preclude a plaintiff from securing or recovering any
5 other available remedy.

6 “(3) BURDEN OF PROOF.—In any civil action
7 alleging a violation of this section, the plaintiff shall
8 bear the burden of establishing the violation through
9 clear and convincing evidence.

10 “(c) RULE OF CONSTRUCTION.—This section shall
11 not be construed to alter or negate any rights, obligations,
12 or immunities of an interactive service provider under sec-
13 tion 230 of title 47, United States Code.

14 “(f) MATERIALLY DECEPTIVE AUDIO OR VISUAL
15 MEDIA DEFINED.—In this section, the term ‘materially
16 deceptive audio or visual media’ means an image or an
17 audio or video recording of a candidate's appearance,
18 speech, or conduct that has been intentionally manipulated
19 in a manner such that both of the following conditions
20 are met:

21 “(1) The image or audio or video recording
22 would falsely appear to a reasonable person to be
23 authentic.

24 “(2) The image or audio or video recording
25 would cause a reasonable person to have a fun-

1 damentally different understanding or impression of
2 the expressive content of the image or audio or video
3 recording than that person would have if the person
4 were hearing or seeing the unaltered, original
5 version of the image or audio or video recording.”.

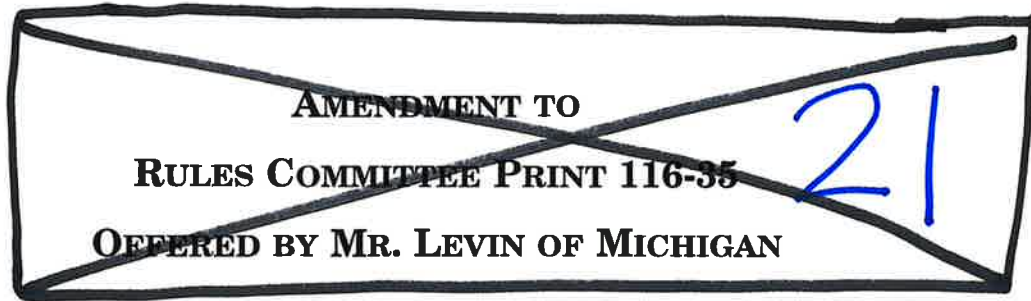
6 (b) CRIMINAL PENALTIES.—Section 309(d)(1) of the
7 Federal Election Campaign Act of 1971 (52 U.S.C.
8 30109(d)(1)), as amended by section 103, is further
9 amended by adding at the end the following new subpara-
10 graph:

11 “(G) Any person who knowingly and will-
12 fully commits a violation of section 325 shall be
13 fined not more than \$100,000, imprisoned not
14 more than 5 years, or both.”.

15 (c) EFFECT ON DEFAMATION ACTION.—For pur-
16 poses of an action for defamation, a violation of section
17 325 of the Federal Election Campaign Act of 1971, as
18 added by subsection (a), shall constitute defamation per
19 se.



4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE LEVIN
OF MICHIGAN OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES



Page 36, insert after line 22 the following:

1 **SEC. 206. PROHIBITING ESTABLISHMENT OF CORPORATION**
2 **TO CONCEAL ELECTION CONTRIBUTIONS**
3 **AND DONATIONS BY FOREIGN NATIONALS.**

4 (a) PROHIBITION.—Chapter 29 of title 18, United
5 States Code is amended by adding at the end the fol-
6 lowing:

7 **“§ 612. Establishment of corporation to conceal elec-**
8 **tion contributions and donations by for-**
9 **eign nationals**

10 **“(a) OFFENSE.—**It shall be unlawful for an owner,
11 officer, attorney, or incorporation agent of a corporation,
12 company, or other entity to establish or use the corpora-
13 tion, company, or other entity with the intent to conceal
14 an activity of a foreign national (as defined in section 319
15 of the Federal Election Campaign Act of 1971 (52 U.S.C.
16 30121)) prohibited under such section 319.

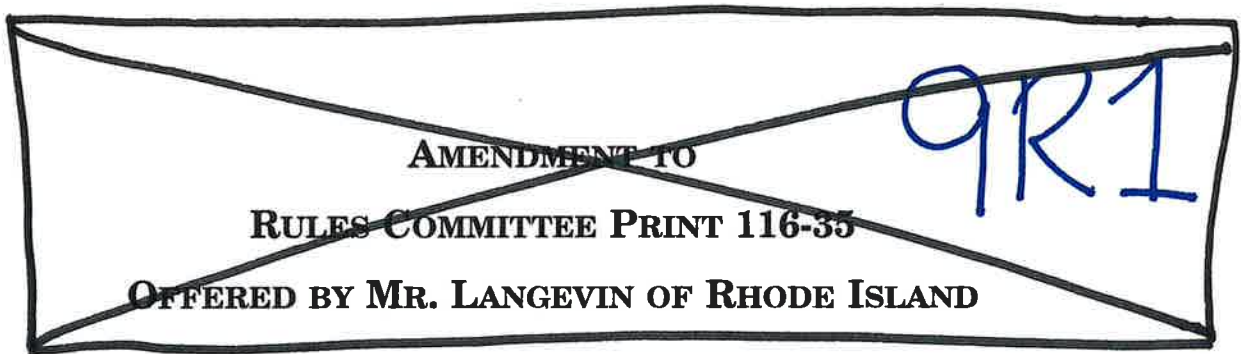
17 **“(b) PENALTY.—**Any person who violates subsection
18 (a) shall be imprisoned for not more than 5 years, fined
19 under this title, or both.”.

1 (b) TABLE OF SECTIONS.—The table of sections for
2 chapter 29 of title 18, United States Code, is amended
3 by inserting after the item relating to section 611 the fol-
4 lowing:

“612. Establishment of corporation to conceal election contributions and dona-
tions by foreign nationals.”.



5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
LANGEVIN OF RHODE ISLAND OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES



Page 28, insert after line 12 the following:

1 **SEC. 118. INDEPENDENT STUDY ON MEDIA LITERACY AND**
2 **ONLINE POLITICAL CONTENT CONSUMPTION.**

3 (a) INDEPENDENT STUDY.—Not later than 30 days
4 after the date of enactment of this Act, the Federal Elec-
5 tion Commission shall commission an independent study
6 and report on media literacy with respect to online polit-
7 ical content consumption among voting-age Americans.

8 (b) ELEMENTS.—The study and report under sub-
9 section (a) shall include the following:

10 (1) An evaluation of media literacy skills, such
11 as the ability to evaluate sources, synthesize multiple
12 accounts into a coherent understanding of an issue,
13 understand the context of communications, and re-
14 sponsibly create and share information, among vot-
15 ing-age Americans.

16 (2) An analysis of the effects of media literacy
17 education and particular media literacy skills on the
18 ability to critically consume online political content,
19 including political advertising.

1 (3) Recommendations for improving voting-age
2 Americans' ability to critically consume online polit-
3 ical content, including political advertising.

4 (c) DEADLINE.—Not later than 270 days after the
5 date of enactment of this Act, the entity conducting the
6 study and report under subsection (a) shall submit the re-
7 port to the Commission.

8 (d) SUBMISSION TO CONGRESS.—Not later than 30
9 days after receiving the report under subsection (c), the
10 Commission shall submit the report to the Committee on
11 House Administration of the House of Representatives
12 and the Committee on Rules and Administration of the
13 Senate, together with such comments on the report as the
14 Commission considers appropriate.

15 (e) DEFINITION OF MEDIA LITERACY.—The term
16 “media literacy” means the ability to—

17 (1) access relevant and accurate information
18 through media;

19 (2) critically analyze media content and the in-
20 fluences of media;

21 (3) evaluate the comprehensiveness, relevance,
22 credibility, authority, and accuracy of information;

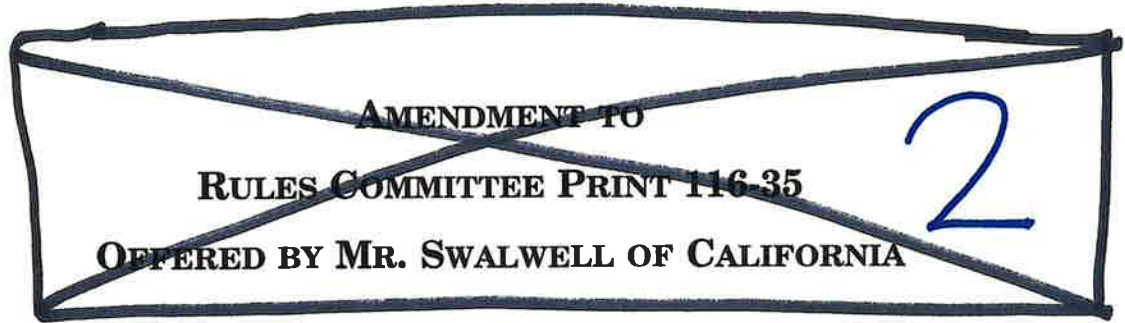
23 (4) make educated decisions based on informa-
24 tion obtained from media and digital sources;

1 (5) operate various forms of technology and
2 digital tools; and

3 (6) reflect on how the use of media and tech-
4 nology may affect private and public life.



6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SWALWELL OF CALIFORNIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES



Page 3, line 15, insert “and each immediate family member of a candidate” after “each candidate”.

Page 4, line 9, insert “an immediate family member of the candidate,” after “a candidate,”.

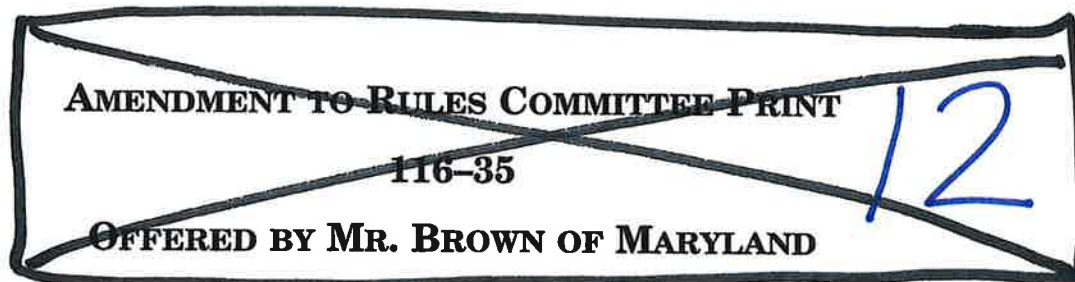
Page 7, line 9, strike the closing quotation mark and the second period.

Page 7, insert after line 9 the following:

- 1 “(4) IMMEDIATE FAMILY MEMBER.—In this
- 2 subsection, the term ‘immediate family member’
- 3 means, with respect to a candidate, a parent, parent-
- 4 in-law, spouse, adult child, or sibling.”.



7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROWN OF MARYLAND OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES



Page 3, line 11, insert after “foreign contact.” the following: “The Federal Bureau of Investigation, not later than 1 week after receiving a notification from a political committee under this paragraph, shall submit to the political committee, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate written or electronic confirmation of receipt of the notification.”

Page 11, insert after line 23 the following (and redesignate the succeeding section):

1 SEC. 104. REPORT TO CONGRESSIONAL INTELLIGENCE
2 COMMITTEES.

3 (a) IN GENERAL.—Not later than one year after the
4 date of enactment of this Act, and annually thereafter,
5 the Director of the Federal Bureau of Investigation shall
6 submit to the congressional intelligence committees a re-
7 port relating to notifications received by the Federal Bu-
8 reau of Investigation under section 304(j)(1) of the Fed-

1 eral Election Campaign Act of 1971 (as added by section
2 101(a) of this Act).

3 (b) ELEMENTS.—Each report under subsection (a)
4 shall include, at a minimum, the following with respect
5 to notifications described in subsection (a):

6 (1) The number of such notifications received
7 from political committees during the year covered by
8 the report.

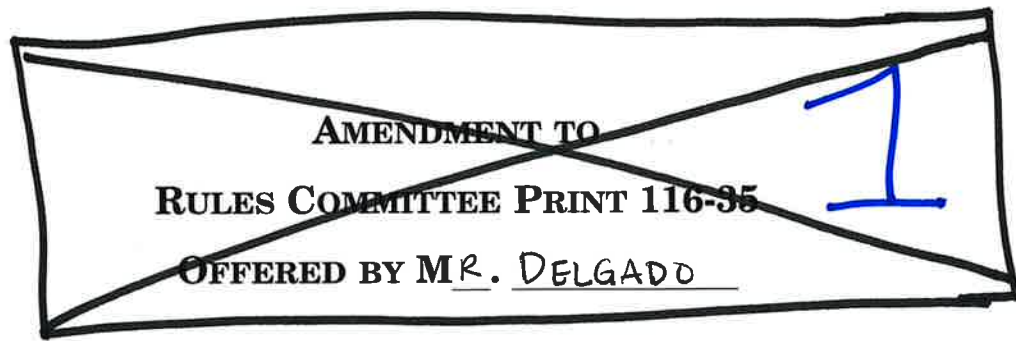
9 (2) A description of protocols and procedures
10 developed by the Federal Bureau of Investigation re-
11 lating to receipt and maintenance of records relating
12 to such notifications.

13 (3) With respect to such notifications received
14 during the year covered by the report, a description
15 of any subsequent actions taken by the Director re-
16 sulting from the receipt of such notifications.

17 (c) CONGRESSIONAL INTELLIGENCE COMMITTEES
18 DEFINED.—In this section, the term “congressional intel-
19 ligence committees” has the meaning given that term in
20 section 3 of the National Security Act of 1947 (50 U.S.C.
21 3003).



8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
DELGADO OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10
MINUTES



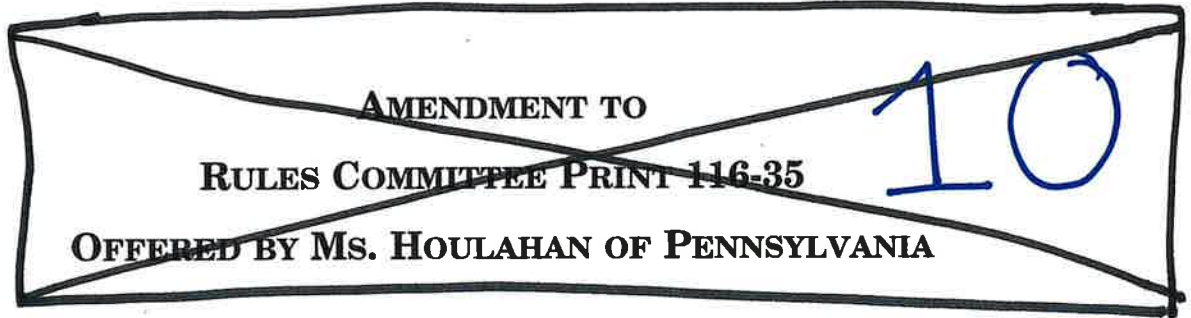
Page 33, line 7, strike “and”

Page 33, insert after line 7 the following (and redesignate the succeeding provision accordingly):

1 “(2) an analysis of the extent to which illicit
2 foreign money was used to carry out disinformation
3 and propaganda campaigns focused on depressing
4 turnout among rural communities and the success or
5 failure of these efforts, together with recommenda-
6 tions to address these efforts in future elections;
7 and”.



9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
HOULAHAN OF PENNSYLVANIA OR HER DESIGNEE,
DEBATABLE FOR 10 MINUTES



Page 40, insert after line 6 the following:

1 **SEC. 303. PROHIBITION ON PROVISION OF SUBSTANTIAL**
2 **ASSISTANCE RELATING TO CONTRIBUTION**
3 **OR DONATION BY FOREIGN NATIONALS.**

4 Section 319 of the Federal Election Campaign Act
5 of 1971 (52 U.S.C. 30121), as amended by section 117,
6 section 201(a), section 201(b), and section 301, is further
7 amended—

8 (1) in subsection (a)—

9 (A) by striking “or” at the end of para-
10 graph (2);

11 (B) by striking the period at the end of
12 paragraph (3) and inserting “; or”; and

13 (C) by adding at the end the following:

14 “(4) a person to knowingly provide substantial
15 assistance to another person in carrying out an ac-
16 tivity described in paragraph (1), (2), or (3).”; and

17 (2) by adding at the end the following new sub-
18 sections:

19 “(f) KNOWINGLY DESCRIBED.—

1 “(1) IN GENERAL.—For purposes of subsection
2 (a)(4), the term ‘knowingly’ means actual knowl-
3 edge, constructive knowledge, awareness of pertinent
4 facts that would lead a reasonable person to con-
5 clude there is a substantial probability, or awareness
6 of pertinent facts that would lead a reasonable per-
7 son to conduct a reasonable inquiry to establish—

8 “(A) with respect to an activity described
9 in subsection (a)(1), that the contribution, do-
10 nation, expenditure, independent expenditure,
11 or disbursement is from a foreign national;

12 “(B) with respect to an activity described
13 in subsection (a)(2), that the contribution or
14 donation solicited, accepted, or received is from
15 a foreign national; and

16 “(C) with respect to an activity described
17 in subsection (a)(3), that the person directing,
18 dictating, controlling, or directly or indirectly
19 participating in the decision making process is
20 a foreign national.

21 “(2) PERTINENT FACTS.—For purposes of
22 paragraph (1), pertinent facts include, but are not
23 limited to, that the person making the contribution,
24 donation, expenditure, independent expenditure, or
25 disbursement, or that the person from whom the

1 contribution or donation is solicited, accepted, or re-
2 ceived, or that the person directing, dictating, con-
3 trolling, or directly or indirectly participating in the
4 decision making process—

5 “(A) uses a foreign passport or passport
6 number for identification purposes;

7 “(B) provides a foreign address;

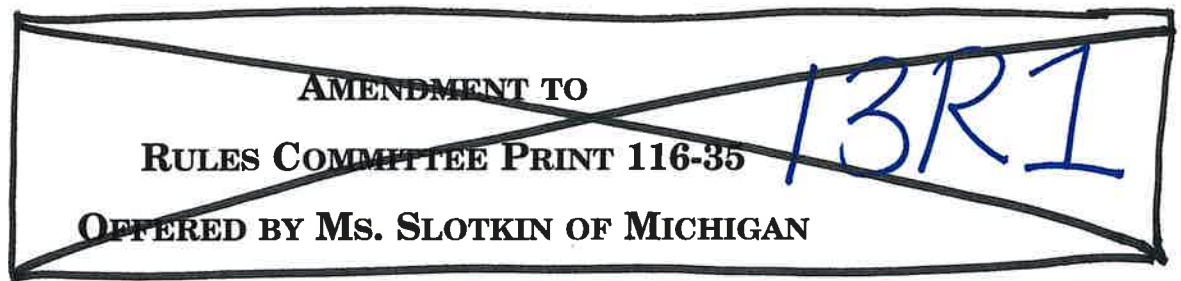
8 “(C) uses a check or other written instru-
9 ment drawn on a foreign bank, or by a wire
10 transfer from a foreign bank, in carrying out
11 the activity; or

12 “(D) resides abroad.

13 “(g) SUBSTANTIAL ASSISTANCE DEFINED.—As used
14 in this section, the term ‘substantial assistance’ means,
15 with respect to an activity prohibited by paragraph (1),
16 (2), or (3) of subsection (a), involvement with an intent
17 to facilitate successful completion of the activity.”.



10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SLOTKIN OF MICHIGAN OR HER DESIGNEE, DEBATABLE FOR 10
MINUTES



Page 54, insert after line 14 the following:

1 **Subtitle C—Assessment of Exemp-**
2 **tion of Registration Require-**
3 **ments Under FARA for Reg-**
4 **istered Lobbyists**

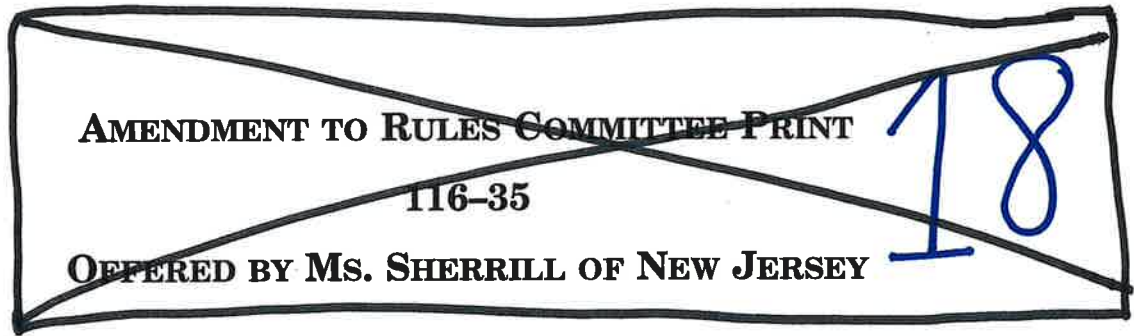
5 **SEC. 321. ASSESSMENT OF EXEMPTION OF REGISTRATION**
6 **REQUIREMENTS UNDER FARA FOR REG-**
7 **ISTERED LOBBYISTS.**

8 Not later than 90 days after the date of the enact-
9 ment of this Act, the Comptroller General of the United
10 States shall conduct and submit to Congress an assess-
11 ment of the implications of the exemption provided under
12 the Foreign Agents Registration Act of 1938, as amended
13 (22 U.S.C. 611 et seq.) for agents of foreign principals
14 who are also registered lobbyists under the Lobbying Dis-
15 closure Act of 1995 (2 U.S.C. 1601 et seq.), and shall
16 include in the assessment an analysis of the extent to
17 which revisions in such Acts might mitigate the risk of

- 1 foreign government money influencing elections or political
- 2 processes in the United States.



11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SHERRILL OF NEW JERSEY OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES



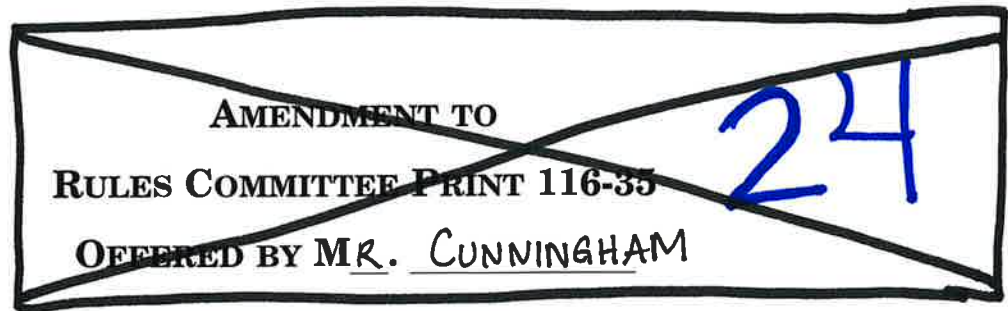
Page 41, line 1, strike "60" and insert "90".

Page 42, line 11, strike "60" and insert "90".

Page 45, line 20, strike "60" and insert "90".



12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CUNNINGHAM OF SOUTH CAROLINA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES



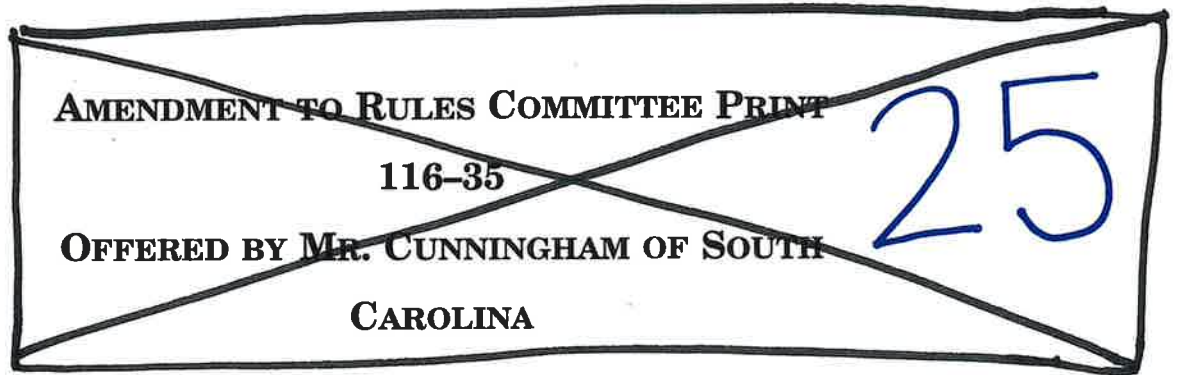
Page 33, line 7, strike “and”

Page 33, insert after line 7 the following (and redesignate the succeeding provision accordingly):

1 “(2) an analysis of the extent to which illicit
2 foreign money was used to carry out disinformation
3 and propaganda campaigns focused on depressing
4 turnout among African-American and other minority
5 communities and the success or failure of these ef-
6 forts, together with recommendations to address
7 these efforts in future elections; and”.



13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CUNNINGHAM OF SOUTH CAROLINA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES



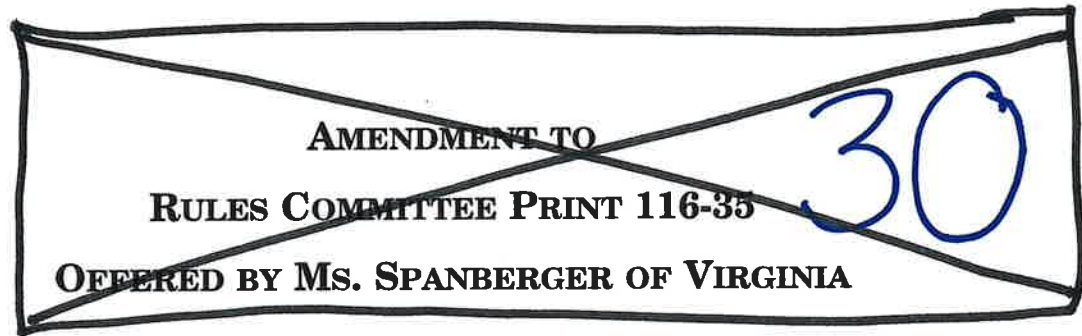
Page 33, line 7, strike “and”

Page 33, insert after line 7 the following (and redesignate the succeeding provision accordingly):

1 “(2) an analysis of the extent to which illicit
2 foreign money was used to carry out disinformation
3 and propaganda campaigns focused on influencing
4 military and veteran communities and the success or
5 failure of these efforts, together with recommenda-
6 tions to address these efforts in future elections;
7 and”.



14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
SPANBERGER OF VIRGINIA OR HER DESIGNEE, DEBATABLE
FOR 10 MINUTES



Page 23, line 8, strike “and a list” and insert “a list”.

Page 23, line 11, strike the period and insert the following: “, and, if the person purchasing the advertisement is acting as the agent of a foreign principal under the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611 et seq.), a statement that the person is acting as the agent of a foreign principal and the identification of the foreign principal involved.”.

